

ADMINISTRATIVE VARIATIONS

The following information is excerpted from Sections [16.16.020](#) and [16.20.030](#) of the Unified Development Ordinance (UDO) regarding describing Administrative Variations. It has been abridged for relevancy and readability.

Applicability and Authority: Administrative Variations and Zoning Variations

The Unified Development Ordinance allows for two (2) types of variations. **An administrative variation may be approved by the Zoning Enforcement Officer** and *a zoning variation may only be approved by the County Board*. The Zoning Enforcement Officer is authorized to grant certain administrative variances. Variations can be applied for only in relation to the zoning standards of this Ordinance, which includes sign regulations. (§§16.20.020 C—D).

The Zoning Enforcement Officer will review applications that meet the following standards: Variation applications of ten percent (10%) or less of the zoning district minimum bulk and setback regulations. *All other variations are considered zoning variations.* (§16.20.020 E.2.a).

Administrative Variation Notice

1. Notice of an administrative variation shall be sent by certified mail [by the *Department of Planning and Development*] to all contiguous landowners. If the property is bounded by a public right-of-way, railroad, or linear waterway, notice is required to property owners abutting the public right-of-way directly across from the subject property. Notification shall be provided to the person who last paid taxes on the property in accordance with the records of the McHenry County Treasurer's Office.

2. The notice shall include the following information:

- a. The location of the property by legal description and street address. If no street address is available, then by locating such property with reference to anywell-known

landmark, highway, road, thoroughfare, or intersection.

b. Permanent property index number and township name.

c. A statement of the present zoning on the parcel in question.

d. A brief statement of the purpose of the application.

e. Directions for objecting to the Administrative Variation.

(§§ 16.16.030 F and 16.20.020 E.2.b.).

Procedure and Application

All applications shall be filed with the Department of Planning and Development in accordance with the UDO application requirements. (§16.20.020 E.1).

Commentary: Specifically, the applicant must file for a building permit and state — in a written letter — what variation(s) is (are) being requested. The current filing fee is \$75.00, plus the cost of sending notice to the surrounding property owners by certified mail.

Administrative Variation Approval

The Zoning Enforcement Officer will review and approve applications that meet the following standards:

No written objections have been received. If any noticed property owner files a written objection to the administrative variation within fifteen (15) calendar days of receipt of such notice, the variation shall be denied. The property owner may apply for a Zoning Variation to be considered by the Hearing Officer or Zoning Board of Appeals.

(§16.20.020 E.2.b.).